

WEBINAR WEDNESDAYS



Wednesday, September 16, 2020

NAVIGATING THE LANDSCAPE OF SEXUAL ASSAULT PART 1

Presented by:

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Owner, Justice 3D
&
Nancy Oglesby
Justice 3D Prosecutor

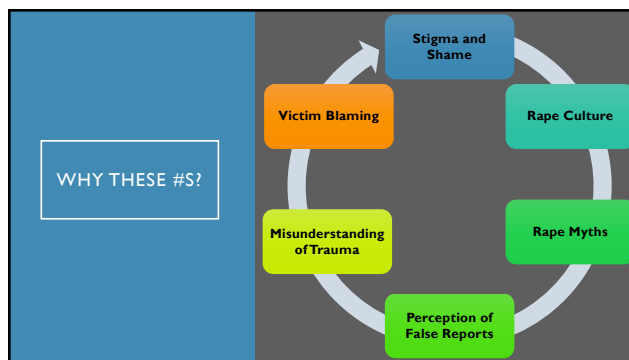
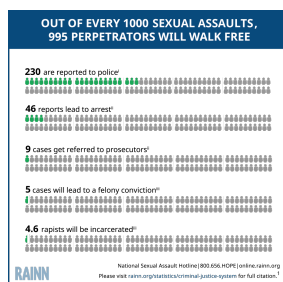
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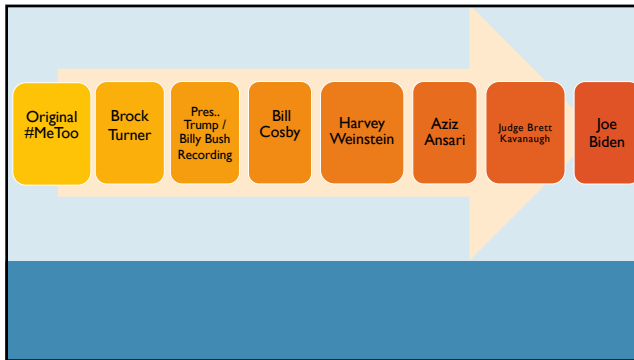
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Chief Mike Milnor
Nancy Oglesby

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More than anything else.....

A tolerance of behaviors that **minimize, trivialize and normalize** sexually assaultive behaviors and abusive attitudes

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"Facebook Didn't Seem To Care I Was Being Sexually Harassed Until I Decided To Write About It"

Facebook group
72,000 members

Jesselyn Cook –
Huffington Post author

April 2018

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**"There is no vulnerability
without danger."**

Dr. Nikki Valliere

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**CONSENT IS REALIZING
VULNERABILITY IS NOT AN
OPPORTUNITY**

DR. GAIL STERN

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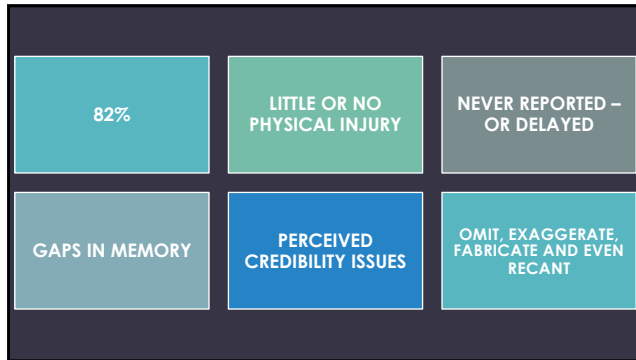
WHY THESE #S? Rape Myths

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What are they?

- Mostly strangers in the dark
- Rapists are easy to spot
- Most women give "mixed messages"
 - "no" really means "yes"
- A victim who is drinking or dressed seductively is partially to blame
- Sexual assault victims remember every detail
- "Date rape" is not as bad as "real rape"
- Men can't be raped
- Sexual assault is a crime of passion and lust
- A person who is sexually assaulted will fight back
- A person who is sexually assaulted will be hysterical
- Only young, pretty women are assaulted
- Sexual assault victims always report
- A real victim will always tell the truth

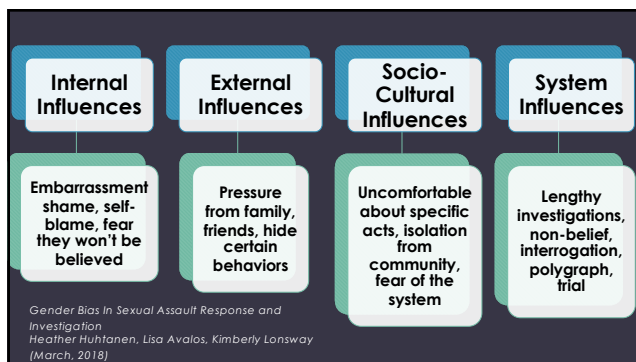
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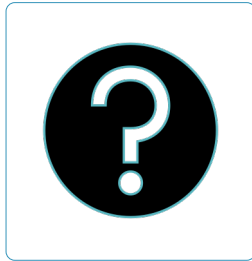


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WHY THESE #S? False Reports

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How many
sexual assault
allegations
are false?



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2% to 10%

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So how many
reports are
false?

- Clark and Lewis (1977): 116 cases
10% (12 cases) classified as false
- Kelly, Lovett & Regan (2005): 2,643 cases
2.5% (67) classified as false
- Lisak et al., (2009): 136 cases
5.9% (8) classified as false

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Confusion in Terminology

- Case unfounded / False allegation
- Victim recanted
- Pending / Unsolved
- Prosecution declined
- Suspicious circumstances
- Exceptional clearance

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Uniform Crime Report (FBI)

UCR states that a case can only be unfounded if it is "determined through investigation to be false or baseless."

In other words, no crime occurred.

J3D

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Media Doesn't Help

DUKE LACROSSE

2006

2015

ROLLING STONE – "Jackie"

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WHY THESE #S? Law Enforcement Training

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The Policing Culture

"Old Warhorses"

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Not Just Culture

Law
Enforcement
Training

Interrogation

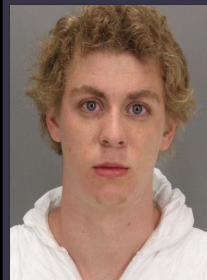
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WHY THESE #S? Environment of the Court System

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BEYOND A
REASONABLE
DOUBT

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Faced up to 14 years in prison

DA asked for 6 years

Probation officer recommended less than a year

Judge sentenced him to 6 months

Released in 3 months

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...as a society, we cannot forgive everyone's first sexual assault or digital rape. It doesn't make sense. The seriousness of rape has to be communicated clearly, we should not create a culture that suggests we learn that rape is wrong through trial and error.

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Thoughts for Prosecutors

Decision Making in Sexual Assault Cases: Replication Research on Sexual Violence Case Attrition in the U.S. (2019)

Melissa S. Morabito, Linda M. Williams, April Pattavina

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Changing the System




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Understanding the Neurobiology of Trauma

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<p>01</p> <p>Trauma applies to all cases – but the misunderstanding has had significant impact in our sexual assault cases</p>	<p>02</p> <p>Takes a team approach – everyone needs to understand the science</p>	<p>03</p> <p>This is just an overview</p>
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	<p>Trauma causes physical changes in the human brain</p>
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